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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,085	05/25/2001	Tim Madeley	KELL-0068	5470

7590 12/20/2005

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EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/866,085	Applicant(s) MADELEY ET AL.	
	Examiner Siegfried E. Chencinski	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1-27 are rejected** under 35 U.S.C. 103(a) as being disclosed by Lewis (US Patent 6,513,019 B2).

Re. Claim 18, Lewis discloses a method for automatically determining a margin for a financial transaction in foreign currencies and other financial instruments, maintaining a database of relevant variables including currency equivalence data, cost data, calculation engines for profit margins, transaction history, customer data, etc. Lewis also discloses computer hardware and software arrangements which enable real time, rapid access, changing of business rules, data tables, execution of calculations and reporting at high speeds. Lewis does not explicitly disclose determining a margin for a transaction comprising storing in a plurality of margin tables a plurality of deal factors that specify a possible deal and a margin value associated with the factors; searching the margin table for an entry corresponding to a proposed transaction; and calculating a margin value therefrom, wherein the margin tables are stored in a margin tier, and are searched in a predetermined order. It would have been obvious to an ordinary practitioner of the art at the time of to have applied the disclosures of Lewis to develop a computer automated financial instrument transaction method and system which supports pre calculation of financial deal offer profit margin calculations, motivated by a need for current and projected transaction performance data by functional groups engaged in financial transactions, related databases, widely accessible and sharable, individually useful, and continuously updated on a real-time, or near real-time basis (Lewis, Col. 3, ll. 32-43).

Re. claims 19-21 and 25-27, Lewis does not explicitly disclose:

Re. Claim 19, calculating a quote for a deal based on the determined margin value.

Re. Claim 20, obtaining data specifying a proposed deal from a user, and presenting a calculated quotation for a deal to a user.

Re. Claim 21, operating a transaction system for automatically determining a margin for a transaction comprising: at least one margin table in which is stored a plurality of deal factors that specify a possible deal and a margin value associated with the factors; a search engine for searching the table for an entry to correspond to a proposed transaction and to calculate a margin value therefrom, wherein the margin table is included in a margin tier, the tier being adapted to contain a plurality of margin tables which can be searched by the search engine in a predetermined order.

Re. Claim 22, calculating a rate for a deal that is required to yield a specified profit on a deal.

Re. Claim 23, a margin A to generate a profit F is calculated in the following steps, or mathematical equivalents thereof: 1. $D=(C/B)$ 2. $G=(F/B)$ 3. $E=(D+/-G)$ 4. $A=(C/E)$ where B=Market Rate; C=Fixed Amount of the transaction; D=Market Counter Amount; E=Client Counter Amount; and G=Fixed Profit Counter Amount.

Re. Claim 24, a margin A to generate a profit F is calculated in the following steps, or mathematical equivalents thereof: 1. $D=(C*B)$ 2. $G=(F/B)$ 3. $E=(D+/-G)$ 4. $A=(C/E)$ where B=Market Rate; C=Fixed Amount of the transaction; D=Market Counter Amount; E=Client Counter Amount; and G=Fixed Profit Counter Amount.

Re. Claims 25, operative to determine a rate for a foreign exchange transaction.

Re. Claims 26, a transaction which is a cross deal, and a cross component of the transaction is determined by a step that includes comparison of priority values associated with a plurality of rate values, and selecting the rate value that has the higher or highest priority.

Re. Claims 27, operative to determine a rate for a money market transaction.

However, **re. claims 19-22 and claims 25-27**, Lewis discloses a full variety of databases and rapid real time to near real time transaction support software facilities for financial instrument transactions of wide scope and variety, including determination modification of use of business rules for trader support, data tables, search engines and related routines, all of which would have made the transaction element limitations of claims 19-21 and 25-27 obvious to the ordinary practitioner of the art at the time of Applicant's invention (Col. 5, ll. 13-25, 38-55; Col. 6, ll. 7-28).

Re. claims 23 and 24, the ordinary practitioner of the art would have been familiar with the calculation steps of claims 23 and 24 at the time of Applicant's invention, as these steps and their mathematical equivalents represent definitional statements of the transaction values.

Therefore, it would have been obvious to an ordinary practitioner of the art at the time of to have applied the disclosures of Lewis to develop a computer automated financial instrument transaction method and system which supports pre calculation of financial deal offer profit margin calculations to support deal making guided by internal margin guidelines, motivated by a need for current and projected transaction performance data by functional groups engaged in financial transactions, related databases, widely accessible and sharable, individually useful, and continuously updated on a real-time, or near real-time basis (Lewis, Col. 3, ll. 32-43).

Re. claim 1, Re. Claim 18, Lewis discloses a system for automatically determining a margin for a financial transaction in foreign currencies and other financial instruments, maintaining a database of relevant variables including currency equivalence data, cost data, calculation engines for profit margins, transaction history, customer data, etc. Lewis also discloses computer hardware and software arrangements which enable real time, rapid access, changing of business rules, data tables, execution of calculations and reporting at high speeds. Lewis does not explicitly disclose a transaction system for automatically determining a margin for a transaction comprising: at least one margin

table in which is stored a plurality of deal factors that specify a possible deal and a margin value associated with the factors; a search engine for searching the table for an entry to correspond to a proposed transaction and to calculate a margin value therefrom, wherein the margin table is included in a margin tier, the tier being adapted to contain a plurality of margin tables which can be searched by the search engine in a predetermined order. It would have been obvious to an ordinary practitioner of the art at the time of to have applied the disclosures of Lewis to develop a computer automated financial instrument transaction system which supports pre calculation of financial deal offer profit margin calculations, motivated by a need for current and projected transaction performance data by functional groups engaged in financial transactions, related databases, widely accessible and sharable, individually useful, and continuously updated on a real-time, or near real-time basis (Lewis, Col. 3, ll. 32-43).

Re. claims 2-17, Lewis discloses a system for automatically determining a margin for a financial transaction in foreign currencies and other financial instruments, maintaining a database of relevant variables including currency equivalence data, cost data, calculation engines for profit margins, transaction history, customer data, etc. Lewis also discloses computer hardware and software arrangements which enable real time, rapid access, changing of business rules, data tables, execution of calculations and reporting at high speeds. Lewis does not explicitly disclose:

Re. claim 2, a transaction system according to claim 1 in which the margin is derived from the first margin table entry in the margin tier that is found by the search engine.

Re. claim 3, a transaction system according to claim 1 in which the margin tables within a tier contains a dissimilar number of deal factors.

Re. claim 4, a transaction system according to claim 3 in which each table within a tier contains a number of deal factors not greater than the number of deal factors contained in any preceding table of the tier.

Re. claim 5, a transaction system according to claim 1 comprising a plurality of margin tiers, each tier containing at least one margin table.

Re. claim 6, a transaction system according to claim 5 in which the search engine searches each tier in turn to attempt to obtain a margin value from each tier.

Re. claim 7, a transaction system according to claim 5 in which the search engine abandons a search in the event that no match for a transaction is found in the first tier.

Re. claim 8, a transaction system according to claim 5 in which a margin value obtained from a tier other than the first tier overrides or adjusts a margin value obtained from a previous tier.

Re. claim 9, a transaction system according to claim 5 in which the search engine operates to ignore any tier, other than the first tier, in the event that no match for a proposed transaction is found in that tier.

Re. claim 10, a transaction system according to claim 1 in which a margin value in a tier is associated with a priority value that indicates which of a plurality of alternative

Re. claim 11, a transaction system according to claim 10 in which the priority value is used to select between a plurality of alternative margin values to be applied to a cross component of a cross deal.

Re. claim 12, a transaction system according to claim 1 further comprising an administration tool by means of which an administrator can add, amend or delete entries from a margin tier, and add, amend or delete a margin tier.

Re. claim 13, a transaction system according to claim 12 in which the administration tool can add amend or delete deal factors from a margin table.

Re. claim 14, a transaction system according to claim 1 in which the transaction is a foreign exchange or a money market transaction.

Re. claim 15, a transaction system according to claim 1 further comprising a quotation server operative to generate a price from a transaction based on a calculated margin value.

Re. claim 16, a transaction system according to claim 1 further comprising a user interface for presenting calculated transaction data to a user.

Re. claim 17, a transaction system, which is operative to calculate a client rate for a deal required to make a specified profit on the deal.

However, **re. claims 2-17**, Lewis discloses a full variety of databases and rapid real time to near real time transaction support software facilities for financial instrument transactions of wide scope and variety, including determination modification of use of business rules for trader support, data tables, search engines and related routines, all of which would have made the transaction element limitations of claims 2 - 17 obvious to the ordinary practitioner of the art at the time of Applicant' invention (Col. 5, ll. 13-25, 38-55; Col. 6, ll. 7-28). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of to have applied the disclosures of Lewis to develop a computer automated financial instrument transaction method and system which supports pre calculation of financial deal offer profit margin calculations to support deal making guided by internal margin guidelines, motivated by a need for current and projected transaction performance data by functional groups engaged in financial transactions, related databases, widely accessible and sharable, individually useful, and continuously updated on a real-time, or near real-time basis (Lewis, Col. 3, ll. 32-43).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is (571)272-6792. The Examiner can normally be reached Monday through Friday, 9am to 6pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung S. Souh, can be reached on (571) 272-6799.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 3628

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington D.C. 20231

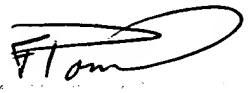
or (571)273-8300 [Official communications; including After Final communications
labeled "Box AF"]

(571) 273-6792 [Informal/Draft communications, labeled "PROPOSED" or
"DRAFT"]

Hand delivered responses should be brought to the address found on the above
USPTO web site in Alexandria, VA.

SEC

December 12, 2005


F. Tom
Au 3628